

UNITED STATES DISTRICT COURT  
for the  
MIDDLE DISTRICT OF TENNESSEE

U.S.A. vs. Joshua Holly

Docket No. 3:10CR02106-001

10-mj-2106

**Petition for Action on Conditions of Pretrial Release**

COMES NOW Angela Rankin, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Joshua Holly who was placed under pretrial release supervision by the Hon. U.S. Magistrate Judge Juliet E. Griffin sitting in the Court at Nashville, Tennessee, on January 03, 2011, under the following conditions: Please reference page two of this document

Respectfully presenting petition for action of Court and for cause as follows:  
Please reference page three of this document

I declare under penalty of perjury that the foregoing is true and correct.

<u>Angela Rankin</u> U.S. Pretrial Services Officer	<u>Nashville, TN</u> Place:	<u>January 12, 2011</u> Date:
<u>Next Scheduled Court Event</u>	<u>Not Scheduled</u>	<u>Event</u> _____ Date _____

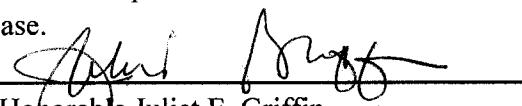
**PETITIONING THE COURT**

<input checked="" type="checkbox"/> No Action	<input type="checkbox"/> To issue an order setting a hearing on the petition
<input type="checkbox"/> To Issue a Warrant	<input type="checkbox"/> Other

**THE COURT ORDERS:**

<input checked="" type="checkbox"/> No Action	<input type="checkbox"/> A Hearing on the Petition is set for
<input type="checkbox"/> The Issuance of a Warrant.	
<input type="checkbox"/> Sealed Pending Warrant Execution (cc: U.S. Probation and U.S. Marshals only)	Date _____ Time _____
<input type="checkbox"/> Other	

Considered and ordered this 19th day of January, 2011, and ordered filed and made a part of the records in the above case.

  
Honorable Juliet E. Griffin  
U.S. Magistrate Judge

**Special Conditions of Release:**

(7)

- (A) Report to Pretrial Services as directed;
- (B) Maintain or actively seek verifiable employment;
- (C) Travel is restricted to the Middle District of Tennessee without prior approval of pretrial services;
- (D) Defendant shall undergo mental health treatment as directed by Pretrial Services, the payment of any such treatment will be determined by Pretrial Services;
- (E) Refrain from possessing a firearm, destructive device, or other dangerous weapons;
- (F) Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner;
- (G) Submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing;
- (H) Participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer;
- (I) Refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing which is required as a condition of release;
- (J) Report as soon as possible, to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop within 48 hours;
- (K) Permit pretrial services to visit you at home or elsewhere and permit confiscation of any contraband observed in plain view of the officer;
- (L) Defendant shall have no access to any computers, or other internet access devices, at any time, except as permitted by Pretrial Services;
- (M) Defendant shall be placed in the third-party custody of his grandmother, Paulette Hecklinger.

On January 3, 2011, Joshua D. Holly appeared before Your Honor for an Initial Hearing pursuant to being charged with violating 18 U.S.C. §1029(a)(3): Possession of Unauthorized Access Devices With Intent to Defraud. He was released on that date on bond with pretrial supervision under the conditions previously listed in this document, and was released to the third party custody of his grandmother, Paulette Hecklinger.

Respectfully advising the Court of the defendant's non-compliance with the conditions of his release.

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**VIOLATIONS:**

**Condition (p) Failure to refrain from use or unlawful possession of a narcotic drug or other controlled substances, unless prescribed by a licensed medical practitioner**

On January 4, 2011, the defendant reported to the U.S. Probation Office for a post release intake interview. He also submitted a urine screen at the request of this officer. The specimen tested positive for marijuana. The defendant admitted to using marijuana approximately 60 days prior to the interview, which was also prior to his arrest for the instant offense. The test results returned were positive from Alere Laboratories, Gretna, Louisiana, on January 6, 2011.

**Probation Officer's Actions:**

This officer referred the defendant to Centerstone, Madison, Tennessee, for an alcohol and drug, and mental health assessment. He was also placed in Phase II of the Code-A-Phone Program, whereby a defendant calls the Probation/Pretrial Services Office daily to see whether he needs to report for a random urine screen.

**Respectfully Petitioning the Court as Follows:**

The U.S. Probation and Pretrial Services Office would respectfully request that no action be taken at this time as the defendant will be submitting regular urine screens, and has been referred for an alcohol and drug assessment. Assistant U.S. Attorney Hilliard H. Hester has been contacted and concurs with this recommendation.

Signed: Angela D. Rankin  
Angela D. Rankin  
U.S. Probation and Pretrial Services Officer

Approved: PA  
Paulette A. Allen  
Supervising U.S. Probation and Pretrial Services Officer

cc: AUSA Hilliard H. Hester  
Defense Counsel, Sumter Camp